IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE EIGHTEENTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE SRI DEVINDER GUPTA,THE CHIEF JUSTICE

and
THE HON'BLE MR JUSTICE B.SESHASAYANA REDDY

WRIT PETITION NO : 17122 of 2001

Between:

K.Lakshman Raju S/o.Satyanarabana raju
H.No.1-1-725/A, Gandhinagar New Bakaram , Hyderabad.

..... PETITIONER

AND

1 The A.P.S.R.T.C Rep by its Managing Director
Musheerabad , Hyderabad.
2 The Commissioner of Police
Govt of A.P , Purana Haveli , Hyderabad.
3 The Municipal Corporation of Hyderabad Rep by its

Commissioner and Special Officer
BRK. Building , Lower Tank Bund Hyderabad.
4 The A.P.Pollution control Board Rep by its Member Secretary
Mythrivanam, Ameerpet Hyderabad.
5 Democratic Youth Federation of India,(DYFI) rep. by its Secretary

to Kavadiguda Division Committee
P. Srinivas, S/o. Venkat Swamy, 33 years, R/o. 1-3-183/40/46/9/49,
T. Anjaiah Nagar, kavadiguda, Hyd.
6 All India Democratic Women Association (aidwa) Rep. by its

Secretary to Bolakpur Division Committee
Smt. M. Laxmi,W/o. M. Krishna Swamy R/o. 1-4-1/7/A, Pumpu Bavi Basti,
Bolakpur, Hyderabad.
7 Nissy Symphony D/o. M. Harchanran
R/o. 1-1-725/A/4, Gandhinagar Opp. Canara Bank,

Hyderabad.
8 Sandeep S/o B. Vijaya
R/o. 1-4-27/71/49 Padmashali Colony
Near Praga Tools, Sec'bad.
9 T. Vinay Kumar S/o. Chalapathi
R/o. 10-12-714, Sitaphalmandi Sec'bad.
10 G. Hemalatha Jayakumari W/o. Y.V. Solomon
SRT Quarters, 2, Jawaharnagar, Hyd.
11 Aruna W/o. Ravikanth
SRT Quarters 2, Jawaharnagar, Hyd.
12 Ravikanth S/o. jahnson
Jawharnagar, Hyd.
13 T. Venkatswamy S/o. T. Rangaswamy
SRT 150, Jawaharnagar, Hyd.
14 T. Kedarashwari W/o. T. Venkataswamy
SRT 150, Jawaharnagar, Hyd.
15 Salma W/o. Ahmed
R/o. 1-1-652/4/6, Sabarmathinagar, Gandhinagar, Hyd.
16 Prabhavathi W/o. Krishna Reddy
R/o. 1-1-725/A/4, Gandhinagar, Hyderabad.
(RRs 5-6 & 7 to 16 are impleaded as per C.O. Dt. 20.9.04 in

WPMPs 19476/04 and 21288/04 respectively.
17 State of A.P. rep. by its Chief Secretary, Secretariat, Hyderabad
R 17 is impleaded as per suo moto order dt. 20-9-2004 in

WP No. 17122 of 2001

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue order or direction more particularly in the nature of writ of Mandamus a) Declaring that the respondents 1 to 3 are duty bound to see that the residents of Gandhinagar of Hyderabad city are not exposed to the pollution of sound, dust, gasses and atmospheric. b) Restrain respondents 1 & 2 from operating route Nos.20 & 40 on the main road of Gandhinagar connecting CanaraBank on the south one end to praga tools Corporation on the north.

Counsel for the Petitioner: MR.P.BALA KRISHNA MURTHY

Counsel for the Respondent No.1: MR. K.HARINATH, SENIOR STANDING COUNSEL FOR APSRTC, HYD.

Counsel for the Respondent No.2: GOVERNMENT PLEADER FOR HOME

Counsel for the Respondent No.4: MR.E.KALYAN RAM

Counsel for the Respondent No.5 & 6: MR.V.RAGHU

Counsel for the Respondents 7 to 16: MR.HARICHARAN

The Court made the following :

ORAL ORDER: (per the Hon'ble the Chief Justice)

This writ petition was filed on 18th September, 2001 as public interest litigation to declare that respondents 1 to 3 are bound to see that the residents of Gandhinagar, Hyderabad City are not exposed to pollution of sound, dust and noise and to restrain respondent Nos.1 and 2 from operating bus numbers 20 and 40 on the main road of Gandhinagar connecting Canara bank on the South end to Praga Tools Corporation on the North. Petition was pending for some time and certain orders were passed from time to time. There is another petition, which has been registered as taken up petition and which is more comprehensive in nature as regards implementation of traffic laws in the twin cities of Hyderabad and Secunderabad viz., W.P.No.10360 of 2004, in which separate order has been passed. In that case, we requested Mr.P.Bala Krishna Murthy, advocate, to appear to assist the court, which has now been adjourned for a period of four weeks.

In so far as this petition is concerned, learned counsel for the petitioner states that now as per the news item which appeared on 2nd July, 2004 in the Hindu, the Andhra Pradesh State Road Transport Corporation has made changes in the routes of buses bearing Nos.40 and 20 to reduce traffic congestion at Canara Bank of Gandhinagar Road from 2nd July, 2004. Learned counsel has handed over to us a route map showing the existing bus service route and the proposed bus service route of buses bearing Nos.40 and 20 and says that by change of the routes, the problem which was highlighted in the writ petition does not survive but suggests that in order to avoid traffic congestion, it will be but proper to put some road barriers by putting cross-bars at the two entry points shown in the map in yellow colour with a signal that entry of heavy vehicles is prohibited, which would save the residents of Gandhinagar from unnecessary extra pollution. A copy of the route plan has been handed over to the learned counsel for the official respondents. The official respondents are directed to consider the feasibility of putting cross-bars at the two points. In case it is considered feasible, then the official respondents will put the cross-bars within a period of two months from the date of receipt of a copy of the writ order.

Mr.Haricharan, counsel appearing for the impleaded respondents 7 to 16 states that respondents 7 to 16 still have some grievance as regards the pollution caused by the vehicular traffic. The said prayer is slightly beyond the scope of the present writ petition. We reserve liberty to respondents 7 to 16 to take out appropriate proceedings in accordance with law and close the writ petition.

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(DEVINDER GUPTA, CJ)

18TH MARCH, 2005

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(B.SESHASAYANA REDDY, J)

TVR/DR

To

1 The Managing Director, A.P.S.R.T.C.,
Musheerabad , Hyderabad.
2 The Commissioner of Police
Govt of A.P , Purana Haveli , Hyderabad.
3 The Commissioner and Special Officer, Municipal

Corporation of Hyderabad,
BRK. Building , Lower Tank Bund Hyderabad.
4 The Member Secretary, The A.P.Pollution control Board,
Mythrivanam, Ameerpet Hyderabad.
5 P. Srinivas,S/o. Venkat Swamy, 33 years, R/o. 1-3-183/40/46/9/49,
T. Anjaiah Nagar, kavadiguda, Hyderabad, The Secretary to

Kavadiguda Division Committee,

Democratic Youth Federation of India, (DYFI)

6 Smt. M. Laxmi,W/o. M. Krishna Swamy R/o. 1-4-1/7/A, Pumpu

Bavi Basti, All India Democratic Women Association (aidwa), The

Secretary to Bolakpur Division Committee
7 Two CCs to Government Pleader for Home, High Court Buildings,

Hyderabad.

8 Two CCs to the Advocate General, High Court Buildings, Hyderabad.

9 2 CD copies

10 1 CC to MR.BALA KRISHNA MURTHY

11 1 CC to MR.BHATT